

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DONALD STANLEY LAVIGNE,	)	
	)	
Petitioner,	)	
	)	
v.	)	
	)	
MICHAEL UNDERWOOD, Warden,	)	Civil Action No. 3:23-285 & 3:24-2
	)	Judge Nora Barry Fischer
	)	Magistrate Judge Keith Pesto
Respondent.	)	

**ORDER OF COURT**

AND NOW, this 23<sup>rd</sup> day of December, 2024, in accordance with the foregoing Memorandum Opinion,

IT IS HEREBY ORDERED that the Reports and Recommendation (Civ. A. No. 3:23-285, Docket No. 5; Civ. A. No. 3:34-2, Docket No. 7) are adopted, in part, and the habeas petitions filed by Petitioner Donald Stanley Lavigne (Civ. A. No. 3:23-285, Docket No. 4; Civ. A. No. 3:24-4, Docket No. 6) are DISMISSED, without prejudice;

IT IS FURTHER ORDERED that Petitioner's objections are OVERRULED;

IT IS FURTHER ORDERED that the Clerk of Court shall mark these cases CLOSED; and,

FINALLY, IT IS ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

*s/ Nora Barry Fischer*  
Nora Barry Fischer  
Senior U.S. District Judge

cc/ecf: United States Magistrate Judge Keith A. Pesto

cc: Donald Stanley Lavigne  
BOP # 77000-509  
Detroit RRM  
4026 E. ARKONA RD.  
MILAN, MI 48160 (via first class mail)